

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
)	
v.)	Criminal No. 21-10035-ADB
)	
FAITH NEWTON,)	
)	
Defendant)	

JOINT SUBMISSION REGARDING PRIOR PRETRIAL FILINGS

In advance of the retrial scheduled for January 16, 2024, the parties make the following joint submission regarding documents previously filed in connection with the June 2023 trial.

The government renews the following filings:

- Government's Trial Brief (Dkt. No. 378);
- Motion *in Limine* to Exclude Arguments in Support of Jury Nullification (Dkt. No. 382);
- Motion *in Limine* to Admit Co-Conspirator Statements (Dkt. No. 383);
- Omnibus Response to Defendant's Motions *in Limine* (Dkt. No. 391);
- Opposition to Defendant's Motion to Exclude Arbor Records and For a Hearing (Dkt. No. 404);
- Opposition to Defendant's Motion *in Limine* to Exclude Newly Identified Exhibits and Newly Identified Witness (Dkt. No. 405);
- Opposition to Defendant's Motion to Compel the Government to Produce the Mental Health Records of its Cooperating Witness (Dkt. No. 406);
- Opposition to Defendant's Motion for Disclosure of Witness A-Files (Dkt. No. 407); and
- Opposition to Defendant's Motion to Exclude Evidence Related to Dismissed Counts (Dkt. No. 411).

The Defendant renews the following filings:

- Motion to Dismiss Money Laundering Counts, Memorandum in Support and Reply (Dkt. Nos. 256-57, 274);
- Motion to Dismiss the Indictment or to Compel Discovery and Exclude Evidence, Memorandum in Support and Reply (Dkt. Nos. 263-64, 280);
- Motion *in Limine* to Exclude Arbor Records (Dkt. No. 371);
- Motion *in Limine* to Exclude Certain Financial Records and Text Message Records (Dkt. No. 372);
- Motion *in Limine* to Exclude Harvard Vanguard Records (Dkt. No. 373);
- Motion *in Limine* to Exclude Overview Testimony (Dkt. No. 374);
- Motion *in Limine* to Preclude Attorney Testimony Revealing Matters Protected by Attorney-Client Privilege (Dkt. No. 375);
- Motion *in Limine* to Preclude Reference to Regulations (Dkt. No. 376);
- Motion to Compel the Government to Cleanse its Exhibits of Extraneous Materials and Refine its Exhibit List (Dkt. No. 377);
- Motion *in Limine* to Exclude Hearsay Recordings and Reply (Dkt. Nos. 380, 401);
- Omnibus Objection to Government's Motions *in Limine* and Trial Brief (Dkt. No. 390);
- Motion for Disclosure of Witness A-Files (Dkt. No. 394);
- Motion to Compel the Government to Produce the Mental Health Records of its Cooperating Witness (Dkt. No. 395);
- Motion *in Limine* to Exclude Newly Identified Exhibits and Newly Identified Witnesses (Dkt. No. 396);
- Renewed Motion for Exclusion of Arbor Records and for a Hearing (Dkt. No. 399);
- Motion to Exclude Evidence Related to Dismissed Counts (Dkt. No. 408);

- Motion to Exclude Government Exhibits 527, 528, 531, and 706-10 (Dkt. No. 419); and
- Motion to Exclude Summary Exhibits 715.03, 715.12, 715.13, 715.14, 715.15, and 715.16 (Dkt. No. 432).

The government also requests that the Court conduct the same jury *voir dire*, provide the same verdict form, and use the same preliminary jury instructions as it did during the June Trial.

The defense reiterates its requests as to *voir dire*, opening remarks, and preliminary jury instructions in the Defendant's Proposed Voir Dire (Dkt. No. 369), Proposed Jury Instructions (Dkt. No. 370 and 370-1), the email of June 23, 2023, and Submission Concerning Proposed Jury Instructions (Dkt. No. 433).

The parties reserve the right to submit additional pretrial filings.

Respectfully submitted,

FAITH NEWTON

/s/ Michelle R. Pascucci (w/ permission)

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CERTIFICATE OF SERVICE

I hereby certify that this document was filed of January 8, 2024, through the ECF system, which will provide electronic notice to counsel as identified on the notice of Electronic Filing.

/s/ William B. Brady

William B. Brady

Assistant United States Attorney